BOIES, SCHILLER & FLEXNER LLP

575 Lexington Avenue New York, New York 10022

Tel: (212) 446-2300 Fax: (212) 446-2350 Jonathan D. Schiller Hamish P. M. Hume Jack G. Stern

Attorneys for Barclays Capital Inc.

## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

: al.,	Chapter 11 Case No. 08-13555 (JMP)
Debtors.	(Jointly Administered)
	Case No. 08-01420 (JMP)
Debtor.	(SIPA)
	Debtors.

DECLARATION OF HAMISH HUME IN SUPPORT OF REPLY BRIEF IN FURTHER SUPPORT OF MOTION IN LIMINE OF BARCLAYS CAPITAL INC. FOR AN ORDER EXCLUDING THE EXPERT TESTIMONY OF JOSEPH SCHWABA, MARK E. SLATTERY, PROFESSOR MARK E. ZMIJEWSKI, HARRISON J. GOLDIN, JOHN J. SCHNEIDER, AND JOHN P. GARVEY

Hamish P.M. Hume, being duly sworn, declares under penalty of perjury that the following statements are true:

1. I am a partner at the law firm Boies, Schiller & Flexner LLP, attorneys for Barclays Capital Inc. ("Barclays"). I am an attorney duly admitted to practice in the State

of New York, and in this Court. I make this declaration based on my personal knowledge, the knowledge of those with whom I work, and the documents referred to herein. I make this declaration in support of Reply Brief in Further Support of Motion *in Limine* of Barclays Capital Inc. for an Order Excluding the Expert Testimony of Joseph Schwaba, Mark E. Slattery, Professor Mark E. Zmijewski, Harrison J. Goldin, John J. Schneider, and John P. Garvey.

2. Each exhibit contained in the Appendix to Reply Memorandum in Further Support of the Motion *In Limine* of Barclays Capital Inc. for an Order Excluding the Expert Testimony of Joseph Schwaba, Mark E. Slattery, Professor Mark E. Zmijewski, Harrison J. Goldin, John J. Schneider, and John P. Garvey (the "Appendix"), which is filed simultaneously herewith and incorporated herein by reference, is a true and correct copy of the document as described on the Index to the Appendix. Any omission of a portion of any lengthy document has been noted on the Index.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in New York, New York on August 16, 2010

Hamish P.M. Hume